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10/769,970	02/02/2004	Thomas J. Prorock	RPS920030156US1	9128

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EXAMINER
BROWN, ALVIN L

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
06/11/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *21 March 2008*.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1 and 8* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1 and 8* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All b)☐ Some * c)☐ None of:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____.
   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 2-6 and 9-25 have been canceled. Claims 1 and 8 have been examined.

Response to Amendment

2.   The amendment filed on March 21, 2008 is insufficient to overcome the prior art

rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Lee et al., (6,837,428) in view of Nichtberger et al., (4,882,675) in further view

of Schulze, JR. et al., (2002/0055875) in further view of Jovicic et al., (5,855,007).

5.   **As per claim 1**, Lee discloses a method for processing coupons by a self

checkout system, wherein the self checkout system comprises at least one self

checkout station coupled to a server, the method comprising:

        receiving a coupon from a customer, wherein the coupon is a paper coupon that

is fed into a coupon reader of the at least one self checkout stations (Fig. 7; column 7,

line 12-20);

        attempting to validate the coupon against at least one item scanned by the

customer (Fig. 11; column 7, line 52-62);

transmitting the electronic coupon from the one self checkout station to the server (column 6, line 63- column 7, line 44); and

collecting tracking information related to the coupon and storing the tracking information in a file at the server (column 7, lines 12- 44).

Lee discloses the ability to scan a paper coupon in a self checkout system (fig. 7)

Lee does not explicitly disclose converting the paper coupon into an electronic coupon; and

destroying the paper coupon after the paper coupon has been converted into an electronic coupon.

However, Nichtberger teaches a method of converting the paper coupon into an electronic coupon (column 29, lines 55-68); and

destroying the paper coupon after the paper coupon has been converted into an electronic coupon (column 29, lines 55-68).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add Nichtberger's method of converting a paper coupon into an electronic coupon to Lee's method of accepting a coupon in a self checkout system. One would be motivated to do this in order to customers with an opportunity to share coupons with other consumers at a later date.

Lee further discloses the process for the self checkout system to accept a validated coupon (column 7, line 62 – column 8, line 20).

Lee does not explicitly disclose a choice the customer may make with an unvalidated coupon.

However, Schulze teaches a rejected coupon lock box where invalid coupons are placed (paragraph [0008]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add Schulze's lock box for invalid coupons to Lee and Nichtberger's process of converting a paper coupon to an electronic coupon. One would be motivated to do this in order to provide additional opportunities to redeem coupons among consumer groups.

Lee does not explicitly disclose global and personal pools to store invalid coupons.

However, Jovicic teaches a system for storing the coupon in a global pool at the server, wherein the global pool is accessible by all customers (column 6, lines 4 – 41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add Jovicic's server with coupons that is accessible to all customer to Lee and Nichtberger's sharing of coupons among customers. One would be motivated to do this in order to provide a longer life to coupons among consumer groups where the coupons may be shared or transferred among users.

6.   **Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al., (6,837,428) in view of Nichtberger et al., (4,882,675) in further view of Schulze, JR. et al., (2002/0055875) in further view of Jovicic et al., (5,855,007) in further view of Mastrianni et al., (2007/0156513) in further view of Goodwin, III et al., (6,696,920).**

As per claim 8, Lee discloses the claimed invention as in claim 1. Lee does not explicitly disclose receiving the tracking information in the file by an item manufacturer;

accessing the global pool at the server by the item manufacturer;

selecting at least one coupon in the global pool; and

analyzing the tracking information for the selected coupon.

However, Jovicic teaches receiving the tracking information in the file by an item manufacturer (column 2, line 21-38);

accessing the global pool at the server by the item manufacturer (column 6, lines 34-41);

selecting at least one coupon in the global pool (column 7, lines 46-52); and

analyzing the tracking information for the selected coupon (column 6, lines 39-58).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add Jovicic's analysis of the coupon tracking information to Lee and Nichtberger's sharing of coupons among customers. One would be motivated to do this in order to provide a longer life to coupons among consumer groups where the coupons may be shared or transferred among users.

Jovicic further discloses a coupon's information may be modified electronically (column 11, lines 37-47)

The Lee and Jovicic combination does not explicitly disclose a manufacturer modifying a coupon's price and expiration date based on analysis.

However, <u>Mastrianni</u> teaches a manufacturer modifying a coupon's price and expiration date based on analysis (paragraph [0045]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add Mastrianni's to manufacturer modification of price and expiration date to Jovicic's method of electronically modifying a coupon. One would be motivated to do this in order to provide a manufacturer with flexibility and the ability to react quickly to market analysis in their coupon programs.

Lee does not explicitly disclose implementing the modified price immediately via an electronic shelf label associated with the item.

Goodwin, teaches a method of changing an electronic price label display sequence with the step for implementing the modified price immediately via an electronic shelf label associated with the item (column 2, lines 63 through column 3, lines 1 – 6)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add Goodwin's implementation of changes in price and expiration date to Jovicic's method of electronically modifying a coupon. One would be motivated to do this in order to provide a manufacturer with flexibility and the ability to react quickly to market analysis in their coupon programs.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Please see the addition of Schulze and

Mastrianni to the rejection of the independent and dependent claims above. Examiner

also notes the following:

On page 12 of the Applicant's Remarks dated March 21, 2008, Applicant states

"Lee nor Jovicic teach or suggest receiving a coupon, where the coupon is a paper

coupon that is fed into a coupon reader of the at least one self checkout stations."

Examiner respectfully disagrees since Lee discloses a paper coupon in Figure 7.

Further, receiving a coupon from a customer, wherein the coupon is a paper coupon

that is fed into a coupon reader of the at least one self checkout stations (Fig. 7; column

7, line 12-20).

Applicant further argues that neither Lee nor Jovicic teach or suggest the coupon

pools "wherein one coupon pool is a global pool having coupons stored in the global

pool are accessible by all customers, wherein the other coupon pool is a personal pool

that is associated with the customer such that coupons stored in the personal pool are

accessible only by the customer."

Examiner agrees that Lee does not explicitly disclose global and personal pools

to store invalid coupons.

However, Jovicic teaches a system for storing the coupon in a global and

personal pool at the server, wherein the global pool is accessible by all customers

(column 6, lines 4 – 41).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to add Jovicic's server with coupons that is accessible to

all customers to Lee and Nichtberger's sharing of coupons among customers. One

would be motivated to do this in order to provide a longer life to coupons among

consumer groups where the coupons may be shared or transferred among users.

Applicant further argues that neither Lee nor Jovicic teach or suggest collecting

tracking information related to the coupon.

Examiner agrees that Lee does not explicitly disclose tracking information related

to the coupon.

However, Jovicic teaches receiving the tracking information in the file by an item

manufacturer (column 2, line 21-38);

accessing the global pool at the server by the item manufacturer (column 6, lines

34-41);

selecting at least one coupon in the global pool (column 7, lines 46-52); and

analyzing the tracking information for the selected coupon (column 6, lines 39-

58).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to add Jovicic's analysis of the coupon tracking information

to Lee and Nichtberger's sharing of coupons among customers. One would be

motivated to do this in order to provide a longer life to coupons among consumer groups

where the coupons may be shared or transferred among users.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ALVIN L. BROWN whose telephone number is

(571)270-5109. The examiner can normally be reached on Monday - Thursday 7:30

AM to 5:00 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Eric Stamber can be reached on 571 272 6724. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ALB

/Arthur Duran/

Primary Examiner, Art Unit 3622

6/9/2008